



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Adopt Resolution Accepting Improvements Under Contract for White Slough Water Pollution Control Facility Holding Pond No. 1 Rehabilitation, 12751 North Thornton Road and Appropriating Additional Funds (\$1,500)

**MEETING DATE:** September 20, 2006

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** That the City Council adopt a resolution accepting the improvements under the "White Slough Water Pollution Control Facility Holding Pond No. 1 Rehabilitation, 12751 North Thornton Road" contract and appropriating funds in accordance with the recommendation shown below.

**BACKGROUND INFORMATION:** The project was awarded to Delta Oilfield Services, Inc., of Woodland, on April 5, 2006, in the amount of \$167,500. This project consisted of windrowing, aerating, and air drying approximately 25,000 cubic yards of eroded soil and organic material, in place, at the bottom of Holding Pond No. 1. The project also consists of loading, hauling, and placing the suitably-dried material at a designated storage yard at the White Slough Water Pollution Control Facility and other incidental and related work, all as shown on the plans and specifications for the project. The contract has been completed in substantial conformance with the plans and specifications approved by City Council.

The contract completion date was September 28, 2006, and the actual completion date was August 23, 2006. The final contract price was \$176,294.50. The difference between the contract amount and the final contract price is mainly due to an additional 1,353 cubic yards of material that was removed from Pond No. 1. The contract quantity for moving the soil material was an estimate and truck loads were counted during the project to obtain a more accurate measurement. As part of the contract award, Council approved an appropriation of \$175,000 to fund this project. This \$175,000 included monies to cover contingencies on this project, but this was not enough to fund all of the extra material that was moved. Staff is now requesting Council approval for an additional appropriation of \$1,500 to cover the costs for this contract, as well as other incidental project-related costs.

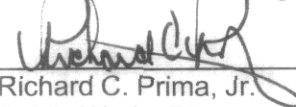
Following acceptance by the City Council, as required by law, the City Engineer will file a Notice of Completion with the County Recorder's office. The notice serves to notify vendors and subcontractors that the project is complete and begins their 30-day period to file a stop notice requiring the City to withhold payments from the prime contractor in the event of a payment dispute.

**FISCAL IMPACT:** Failure to perform this work could have led to decreased storage capacity in the pond, as well as permit violations due to over topping of the pond.

**FUNDING AVAILABLE:**

Budgeted Fund:	Wastewater Capital Fund	\$175,000.00
Additional Request:		\$ 1,500.00
Total Contract Amount:		\$176,294.50

  
Ruby Paiste, Financial Services Manager

  
Richard C. Prima, Jr.  
Public Works Director

Prepared by Wesley K. Fujitani, Senior Civil Engineer  
RCP/WKF/pmf  
cc: Joel Harris, Purchasing Officer

Frank Beeler, Asst. Wastewater Treatment Superintendent

**APPROVED:**   
Blair King, City Manager

When Recorded, Please Return to:  
Lodi City Clerk  
P.O. Box 3006  
Lodi, CA 95241-1910

RESOLUTION NO. 2006-173

A RESOLUTION OF THE LODI CITY COUNCIL ACCEPTING  
IMPROVEMENTS UNDER CONTRACT FOR WHITE SLOUGH WATER  
POLLUTION CONTROL FACILITY HOLDING POND NO. 1  
REHABILITATION, 12751 NORTH THORNTON ROAD, BETWEEN  
THE CITY OF LODI AND DELTA OILFIELD SERVICES, INC.,  
AND APPROPRIATING ADDITIONAL FUNDS

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WHEREAS, the White Slough Water Pollution Control Facility Holding Pond No. 1 Rehabilitation, 12751 North Thornton Road, Project consisted of windrowing, aerating, and air drying approximately 25,000 cubic yards of eroded soil and organic material in place at the bottom of Holding Pond No. 1; and

WHEREAS, the project also consisted of loading, hauling, and placing the suitably-dried material at a designated storage yard at the White Slough Water Pollution Control Facility and other incidental and related work, all as shown on the plans and specifications for the project; and

WHEREAS, the project was awarded to Delta Oilfield Services, Inc., of Woodland, California, on April 5, 2006, in the amount of \$167,500.00, and the contract has been completed in substantial conformance with the plans and specifications approved by City Council; and

WHEREAS, the contract completion date was September 28, 2006, and the actual completion date was August 23, 2006, with the final contract price being \$176,294.50; and

WHEREAS, the difference between the contract amount and the final contract price is mainly due to an additional 1,353 cubic yards of material that was removed from Pond No. 1. The contract quantity for moving the soil material was an estimate and truckloads were counted during the project to obtain a more accurate measurement. As part of the contract award, Council approved an appropriation of \$175,000.00 to fund this project. This \$175,000.00 included monies to cover contingencies on this project, but this was not enough to fund all of the extra material that was moved; and

WHEREAS, staff requests Council approval for an additional appropriation of \$1,500.00 to cover the costs for this contract, as well as other incidental project-related costs.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi hereby finds as follows:

1. That all requirements of the contract between the City of Lodi and Delta Oilfield Services, Inc., of Woodland, California, for the White Slough Water Pollution Control Facility Holding Pond No. 1 Rehabilitation, 12751 North Thornton Road, Project have been substantially complied with as specifically set forth in the plans and specifications previously approved by the City Council on February 15, 2006; and
2. That the Lodi City Council hereby approves appropriation of an additional \$1,500.00 to cover the costs for this contract, as well as other incidental project-related costs; and
3. That the City Engineer is hereby directed to file a Notice of Completion as required by law with the County Recorder's office. Said Notice serves to notify vendors and subcontractors that the project is complete and begins their 30-day period to file a stop notice requiring the City to withhold payments from the prime contractor in the event of a payment dispute.

Dated: September 20, 2006

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I hereby certify that Resolution No. 2006-173 was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 20, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, Mounce,  
and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
JENNIFER M. PERRIN  
Interim City Clerk

